

Final Draft

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**AGREEMENT REACHED ON JANUARY 31, 2009 BETWEEN THE STATE OF
CALIFORNIA AND UNION OF AMERICAN PHYSICIANS AND DENTISTS (UAPD)
CONCERNING
DEPARTMENT OF DEVELOPMENTAL SERVICES
AGNEWS DEVELOPMENTAL CENTER CLOSURE**

All Bargaining Unit (BU) 16 positions in the outpatient clinic at Agnews Developmental Center (ADC) will be offered based on total State seniority. The most senior eligible employee shall be offered the position first and if they decline, it shall be offered to the next senior person until the allocation is filled.

All surplus BU 16 represented employees will have SROA/Surplus status for a minimum of 120 days. SROA shall be extended by the State consistent with the layoff date of each employee, in increments up to a maximum 120 calendar days per SROA Policy and Procedure Manual. Implementation of SROA/Surplus was effective January 12, 2009.

- A. Upon request and with prior supervisory approval, a BU 16 represented employee will be provided one-on-one assistance in the Marchesi Career Center for a reasonable amount of State time to help identify classifications available to them in State service.
- B. All BU 16 represented employees on SROA/Surplus status, with prior supervisory approval, will be allowed a reasonable amount of State time to participate in verifiable employment interviews.

Verification will consist of:

- 1. letter inviting you to an interview signed and dated by the person employee interviewed with or
- 2. form developed by Agnews which includes date and time of interview and is signed by the person conducting the interview.

MOD, Holiday Time and Personal Leave

Upon request of the Agnews Developmental Center (ADC) impacted BU 16 represented employees who voluntarily report to other DDS locations, DDS agrees to cash out MOD, Holiday Time, and Personal Leave to a zero balance. The cash out of time will be paid three (3) weeks prior to the effective reporting date to the new reporting location.

Upon request to the Personnel Officer at ADC, by an ADC impacted BU 16 represented employee who voluntarily reports to other State employment, DDS agrees to cash out MOD and Holiday Time three (3) weeks prior to the effective reporting date to the new reporting site. If no request is received, all MOD time balances will be cashed out to the employee on the last day of employment with DDS.

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Final Draft**Vacation/Annual Leave Cash Out**

BU 16 impacted employees who voluntarily report to their new work location within DDS will have the option to cash out no fewer than 40 hours vacation/annual leave accumulation, but no more than 80 hours. Vacation/annual leave cash out will be paid prior to the effective reporting date at the new DDS location.

RELOCATION ASSISTANCE

1. This Relocation Assistance is provided to Agnews Developmental Center (ADC) BU 16 Impacted employees who relocate to another position with the Department of Developmental Services (DDS). The amount of the Relocation Assistance shall be three thousand and five hundred (\$3,500) dollars.

No Relocation Assistance provision shall apply to BU 16 represented staff accepting a position in the Outpatient Clinic (Primary Care Clinic).

2. **RELOCATION ASSISTANCE**

This Relocation Assistance provision is effective upon ratification by the State. This benefit begins December 15, 2008, and terminates upon the establishment of the re-employment list for the Bargaining Unit 16 classification.

Employees shall report to their new facility on the date specified as the reporting date and be ready, willing and able to work.

Employees must be on active status ninety (90) days from the first day of actual work.

3. **ADVANCE AGAINST RELOCATION ASSISTANCE**

Thirty (30) days prior to the specified reporting date, an employee who has accepted a position in another DDS facility will be issued an advance against the Relocation Assistance in the amount of one thousand seven hundred and fifty (\$1,750) dollars less required deductions and/or taxes.

Failure to report on the specified reporting date as directed above will result in the loss of the Relocation Assistance. Recovery of the advance will be handled by deduction of earnings, against accrued leave balances and/or garnishment of wages/salary. If necessary, DDS will also file a claim for reimbursement with the Franchise Tax Board for any remaining balance due.

Failure to complete the 90-day active work status requirement indicated above will result in recovery of the advance and forfeiture of the balance of the Relocation Assistance as indicated in the above conditions.

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